IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 11684 of 2005

For Approval and Signature:

HONOURABLE MR.JUSTICE R.S.GARG

HON'BLE MR.JUSTICE RAVI R.TRIPATHI

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1	Whether Reporters of Local Papers may be allowed to see the judgment ?
2	To be referred to the Reporter or not ?
3	Whether their Lordships wish to see the fair copy of the judgment ?
4	Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?
5	Whether it is to be circulated to the civil judge ?

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SHRICHOBARISEVASAHKARIMANDALILTD.THR'ITS - Petitioner(s)

Versus

DY.COLLECTOR &ELECTION OFFICER &7 - Respondent(s)

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Appearance :
MR TUSHAR MEHTA for Petitioner No(s).: 1.
GOVERNMENT PLEADER for Respondent No(s).: 1.
RULE SERVED BY DS for Respondent No(s).: 2.
MR HARIN P RAVAL for Respondent No(s).: 3.
MR ASHISH M DAGLI for Respondent No(s).: 4,5,6,7.

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CORAM :HONOURABLE MR.JUSTICE R.S.GARG
HON'BLE MR.JUSTICE RAVI R.TRIPATHI
Date : 05/07/2005

ORAL JUDGMENT (**Per : HONOURABLE MR.JUSTICE R.S.GARG)**

The respondents have filed an affidavit that in accordance with the directions of this Court a special general meeting was held to consider the question of amendment in the

bye-laws, that the meeting was held and amendment of the bye-laws could not be passed with a majority of 2/3rd votes. Mr.Tushar Mehta for the petitioner admits the position. In view of the same the very challenge to the election becomes non est. The petition deserves to be dismissed. It is accordingly dismissed. Rule and notice for interim relief are discharged. No order as to costs. Direct service is allowed.

1. In accordance with the further directions of this Court it is hereby directed that the election process shall continue from the date and time it was kept in abeyance by this Court. If required the competent authorised officer may issue fresh dates for doing different acts in accordance with law.

(Ravi R. Tripathi, J.)

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